

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-20780 - APPLICANT/OWNER: PEDRO GARCIA

**** CONDITIONS ****

The Planning Commission (5-1/bg vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20783), Waiver (WVR-21491) and Variance (VAR-20782) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, date stamped 04/23/07, except as amended by conditions herein.
4. The standards for this development shall include a Minimum lot size of 6,500 net square feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect conformance with this approval.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Each residential building shall include a fully operational sprinkler system.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. A Waiver of Title 18.12.130, such as WVR-21491, shall be approved to allow the private street to terminate with a non-circular cul-de-sac. If a Waiver is not approved, construction of a cul-de-sac meeting current City Standards will be required concurrent with development and a revised site plan shall be submitted to the City reflecting these improvements.
15. The onsite street shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association on the map for this site.
16. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping and private improvements shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction plans, the issuance of any permits or the submittal of a map for this site. The termination of the private street shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for ZON-20783, WVR-21491 and all other applicable site-related actions.

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed five-lot single family residential subdivision on 1.16 acres at 4881 Donald Road. The project proposes to subdivide the existing single family lot into five lots with development standards similar to an R-1 (Single Family Residential) zoning district.

The project represents an infill development that is consistent with the objectives of the General Plan and compatible with neighboring approvals. Further, this development will serve as a buffer between the higher density development approved to the west and the large residential lots that exist to the east. For these reasons this zoning request is appropriate for the area and approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/24/07	<p>The Planning Commission recommended approval of companion items ZON-20783, WVR-21491 and VAR-20782 concurrently with this application.</p> <p>The Planning Commission voted 5-1/bg to recommend APPROVAL (PC Agenda Item #7/rts).</p>
<i>Related Building Permits/Business Licenses</i>	
07/13/94	<p>A building permit application, plan check R-0157-94, was submitted for the site. This was for a plan check review for a single family dwelling at 4881 Donald Road. This permit (94346003) was reviewed and approved by the Planning and Development Department on 07/20/94 and issued by the Building and Safety Department 08/30/94. Project listed as completed on 03/28/95.</p>
<i>Pre-Application Meeting</i>	
03/01/07	<p>A pre-application meeting was held and elements of this application were discussed. It was noted that this site has a ML (Medium Low Density Residential) General Plan designation. Submittal requirements were discussed.</p>
<i>Neighborhood Meeting</i>	
<p>A neighborhood meeting is not required for this application, nor was one held.</p>	
<i>Field Check</i>	
04/06/07	<p>The Department of Planning and Development conducted a site visit that found that this was a developed site that has a single family, detached home that is a single story high. The site includes mature trees and front lawn area with a walled in area in the rear.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		N*
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

- * The proposed density will exceed the two units per acre called for by the Rural Preservation Overlay District. This location has a ML (Medium Low Density Residential) General Plan Designation and there are approved developments to the north and west that are of comparable densities.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Proposed *
Min. Lot Size	6,926 Square Feet
Min. Lot Width	60 Feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	18 Feet 5 Feet 10 Feet 15 Feet
Max. Lot Coverage	n/a
Max. Building Height	2 Stories/35 Feet (which ever is less)

- * Pursuant to Title 19.08.040 (C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria. Any future development will require review for determination of appropriate development standards.

Existing Zoning	Permitted Density	Units Allowed
R-E	2.0 du/ac	2 du/ac
Proposed Zoning	Permitted Density	Units Allowed
R-PD4	4.49 du/ac	5 du/ac
General Plan	Permitted Density	Units Allowed
ML	5.6 – 8 du/ac	9 du/ac

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement					
Use	Gross Floor Area or Number of Units	Required			Compliance
		Parking Ratio	Parking		
			Regular	Handicapped	
Single Family, Detached	5-Lots	2 Spaces / SFD	10 Spaces	0 Spaces	
TOTAL (including handicap)			10 Spaces		Indeterminate *

- * There are no floor plans proposed at this time for this development as it is the applicant's stated intention that the lots will be custom homes. A standard condition of approval appears in the Site Development Plan Review (SDR-20780) requiring all City Code requirements and design standards of all City Departments must be satisfied. This would include the above parking standard.

ANALYSIS

The subject property is located within the boundaries of the Centennial Hills Sector Map of the General Plan, and has a ML (Medium Low Density Residential) land use designation. This designation generally permits single-family detached homes, including compact lots and zero lot lines, mobile home parks and two-family dwellings. This category allows up to 8.49 units per acre. The subject site is proposing to zone to R-PD4 (Residential Planned Development – 4 Units per Acre) which will allow the subdivision of this property to create a five-lot residential subdivision. The proposed residential development is in compliance with the ML (Medium Low Density Residential) designation and R-PD4 (Residential Planned Development – 4 Units per Acre) zoning district.

As previously noted, the parcel is within the boundaries of the Rural Preservation Overlay District. The Rural Preservation Overlay District is intended to preserve the rural nature of designated neighborhoods located in the Southeast, Southwest, and Centennial Hills Sectors. Some characteristics of a Rural Preservation Neighborhood include single-family homes on large lots, non-commercial raising of domestic animals, and a density limit of two units per acre. The overlay district also establishes a 330-foot buffer that extends from designated neighborhoods and limits development to three units per acre in certain instances. Title 19.06.150, indicates that from time to time, areas may be added to or removed from the Overlay District, and the Overlay District map so amended, as deemed necessary in order to reflect the fact that particular property qualifies or no longer qualifies for inclusion within a rural preservation neighborhood. The underlying general plan designation, proposed rezoning, and density of 4.3 units per acre would indicate that this site no longer does not qualify nor should it be included within the district. The neighboring approvals to the west and north, which are not currently a part of the district, are consistent with the infill nature of this development.

- **Site Plan**

The site is located on the south side of Donald Road just west of the intersection with North Decatur Boulevard. This site is a developed residential site with an existing single family home and outbuildings.

The site plan illustrates five lots with a minimum lot size of 6,925 square feet. There is a private street that terminates at the fifth lot. The site plan illustrates that the proposed development is similar to the typical R-1 (Single Family Residential) zoning district that has been approved to the west of this site. The proposed lot sizes, setbacks, and lot widths are compatible with the approved development to the west and north.

The site plan includes a private street to access the proposed residential lots. The applicant is proposing; via a Waiver of Title 18.12.130 (WVR-21461), that this private street end in a half hammer head terminus design instead of the required cul-de-sac. The applicant has indicated that they have received support from the City's Fire Marshal for the street design based on the applicant's intention to have the future homes equipped with a sprinkler system. A condition of approval requiring the homes to have a working sprinkler system has been added to this review to reflect this stated intention. If the Waiver (WVR-21461) is not approved by the City Council, then the site plan must be revised to conform to city standards and resubmitted to the Planning and Development Department.

- **Landscape Plan**

The limited scope of this project (five, single-family lots) and the fact that it is not adjacent to a collector level street or larger exempt it from having any open space or perimeter landscape buffer requirements.

- **Elevations/Floor Plan**

There are no elevations proposed at this time as it is the applicant's stated intention that these will be custom home lots. The proposed height limitation is stated at 35 feet. The standard condition that outlines the maximum height for a development of this nature has been written to allow a maximum of two stories or 35 feet which ever is less. This development standard is compatible with the typical R-1 (Single Family Residential) zoning district standard.

There are no floor plans proposed at this time as it is the applicant's stated intention that these will be custom home lots. The lack of floor plans prevents the determination of whether the proposed development meets the parking standard of two, unimpeded parking spaces per single family dwelling. A standard condition of approval is included in this review that requires that all City Code requirements and design standards of all City Departments must be satisfied unless amended by this approval. This condition would require that at the time the floor plans are submitted for plans check for building permits that those plans must reflect adherence to the parking standard.

This site development plan review has been submitted in conjunction with a Rezoning (ZON-20783) to go from an R-E (Residence Estates) district to an R-PD4 (Residential Planned Development – 4 Units Per Acre) district; Waiver of Title 18.12.130 (WVR-21491) to allow a private street to end in a half hammer head design instead of the required cul-de-sac; Variance (VAR-20782) to allow the rezoning of less than five acres of land to an R-PD (Residential Planned Development) district.

The proposed single family residential subdivision will serve as a buffer between the larger, higher density development approved to the west and the large residential lots to the east. The infill nature of this proposed development is consistent with the objectives of the General Plan, specifically, as the site is underutilized and the proposed development is sensitive to the surrounding development. Staff is recommending approval of this site development plan review request for these reasons.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development will be consistent with the existing and proposed development around the site.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed site plan conforms to the General Plan. There is a Variance (VAR-20782), that if approved, would allow the site plan to conform to Title 19 requirements. The proposed site plan conforms to other city policies and standards.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Staff finds access to the development is via Donald Road, a 50-foot wide local level street. The development should not have an adverse effect on the capacity of the street

- 4. Building and landscape materials are appropriate for the area and for the City;**

There are presently no proposed building materials or landscape materials. At the time of plan check for the building permits, a review will verify that the materials are appropriate for the area and for the City.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

There are presently no proposed building elevations, design characteristics or other architectural and aesthetic features. At the time of plan check for the building permits, a review will verify that these aspects are attractive and compatible with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 239 by Planning Department

APPROVALS 0

PROTESTS 0